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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,595	12/22/2000	Daniel P. Starkovich	RA 5344 (33012/305/101)	8241

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EXAMINER
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EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/747,595

Applicant(s)

STARKOVICH ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to application filed on Dec. 22, 2000. Claims 1-20 are pending examination.

#### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Claim Objections***

3. Claims 1, 3, 6, 7, 11, 13, 16 and 19 are objected to because of the following informalities: The above mentioned claims contain a spelling error "publically". Appropriate correction is required.

#### ***Drawings***

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "12-16" have been used to designate client and reference characters "30-36" have been used to designate transaction client. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the improvement" in fifth line of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5-7, 11-13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al., U.S. Patent No. 6,092,114 (referred to hereafter as Shaffer) in view of Harvey et al., U.S. Patent No. 6,519,568 (referred to hereafter as Harvey).

As to claim 1, Shaffer teaches a user terminal for entering a transaction request as a message, wherein said transaction request has one of a plurality of formats, responsively coupled via a publicly available digital communication network to an enterprise server for responding to said transaction request, the improvement comprising:

a. A generic gateway interposed between said user terminal and said enterprise server which converts said message to a different format and responsively couples said

user terminal to said enterprise server (see col. 3 lines 62-col. 4 lines 11 and col. 4 lines 45-65).

Shaffer does not explicitly teach the limitation "XML message". However Harvey teaches a system for electronic data delivery where the data uses XML format (see col. 22 lines 55-67).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Shaffer by implementing an XML message as taught by Harvey because doing so would allow the user to use an extremely simple language to communicate through the internet and therefore resulting in an easier communication.

As to claim 2, Shaffer teaches the improvement according to claim 1 further comprising a plurality of adapters interposed between said generic gateway and said user terminal which responsively couples said user terminal to said generic gateway wherein each one of said plurality of adapters corresponds to said one of said plurality of formats (see col. 3 lines 1-12).

As to claim 3, Shaffer teaches the improvement according to claim 2 wherein said publicly available digital communication network further comprises the internet (see col. 3 lines 64-col. 4 lines 5).

As to claim 5, Shaffer teaches the improvement according to claim 4 wherein said user terminal further comprises an industry compatible personal computer (see col. 3 lines 64-col. 4 lines 5).

As to claim 6 and 16, Shaffer teaches an apparatus comprising:

- a. A user terminal and means which generates a service request as an message using one of a plurality of formats;
- b. A publicly accessible digital data communication network 5 responsively coupled to said user terminal;
- c. A generic gateway within a server responsibly coupled to said publicly available digital data communication network; and
- d. An enterprise server responsively coupled to said generic server (see col. 3 lines 62-col. 4 lines 11 and col. 4 lines 45-65).

Shaffer does not explicitly teach the limitation "XML message". However Harvey teaches a system for electronic data delivery where the data uses XML format (see col. 22 lines 55-67).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Shaffer by implementing an XML message as taught by Harvey because doing so would allow the user to use an extremely simple language to communicate through the internet and therefore resulting in an easier communication.

As to claim 7, Shaffer teaches an apparatus according to claim 6 wherein said server comprises:

A plurality of adapters responsively coupled intermediate said publicly available digital data communication network and said generic gateway (see col. 4 lines 12-24).

As to claim 11, Shaffer teaches a method of processing a transaction comprising:

- a. Composing a service request as a message using one of a plurality of formats;

b. Transferring said message via a publicly accessible digital data communication network to one of a plurality of adapters corresponding to said one of said plurality of formats within a server; and

c. Converting said message into a standardized format for processing within a generic gateway within said server.

Shaffer does not explicitly teach the limitation "XML message". However Harvey teaches a system for electronic data delivery where the data uses XML format (see col. 22 lines 55-67).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Shaffer by implementing an XML message as taught by Harvey because doing so would allow the user to use an extremely simple language to communicate through the internet and therefore resulting in an easier communication (see col. 3 lines 62-col. 4 lines 11 and col. 4 lines 45-65).

As to claim 12, Shaffer teaches a method according to claim 11 further comprising:

a. Transferring said converted and processed service request from said generic gateway to an end service provider (see col. 4 lines 5-20).

As to claim 13, a method according to claim 12 wherein said publicly accessible digital data communication network further comprises the internet (see col. 3 lines 64-col. 4 lines 5).

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Harvey, further in view of Deisinger et al., U.S. Patent No. 6,397,220 (referred to hereafter as Deisinger).

Shaffer teaches the improvement according to claim 1 further comprising a plurality of adapters interposed between said generic gateway and said user terminal which responsively couples said user terminal to said generic gateway wherein each one of said plurality of adapters corresponds to said one of said plurality of formats (see the rejection of claim 2).

Shaffer does not explicitly teach the limitation the improvement further comprising an NT Server housing said generic gateway and providing a WebTX environment.

However Deisinger teaches a method of receiving and routing requests through the internet using an NT server in a WebTx environment (see col. 5 lines 43-65).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Shaffer by implementing an NT server in a WebTx environment as taught by Deisinger because doing so would transform a request such as a URL from a Web browser into a format which is understandable by a distributed transaction processing system and also transform data returned from the distributed transaction processing system into a formatted response which is returned to the requester and therefore overcoming compatibility issues with a client and a server.



8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Harvey further in view of Mears et al., U.S. Patent No. 6,438,580 (referred to hereafter as Mears).

Shaffer teaches a method of processing a transaction comprising composing a service request as a message using one of a plurality of formats (see the rejection of claim 11).

Shaffer does not explicitly teach the claimed limitation "said plurality of formats further comprises an active server page". However Mears teaches a method of building interactive knowledgeable database using active server page (see col. 5 lines 45-59).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Shaffer by using active page server format as taught by Mears because doing so would allow the user view a message using an HTML page using a web browser and therefore overcome the need of an e-mail software.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Harvey further in view of Krishan et al., U.S. Patent No. 6,442,559 (referred to hereafter as Krishan).

Shaffer teaches a method of processing a transaction comprising composing a service request as a message using one of a plurality of formats (see the rejection of claim 11).

Shaffer does not explicitly teach the claimed limitation "said plurality of formats further comprises visual basic". However Krishan teaches a method for delivering messages where the message is written in visual basic (see col. 20 lines 1-13).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Shaffer by using visual basic format as taught by Krishan because doing so would allow the user to view messages in a variety of formats and therefore overcoming compatibility problems by delivering messages in formats that can be accessed by the intended receiver.

**10.** Claims 8-10 and 17-20 do not teach or define any additional limitations over claims 1-7 and 11-16 and therefore are rejected for similar reasons.

**11.** The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- System And Method For Distributing Messages by Szymansky, U.S. Patent No. 6,557,029.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

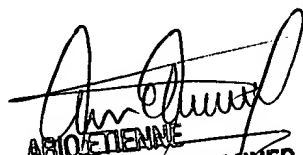
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

March 21, 2004

  
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